IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

ARNOLD F. HORTON §

VS. § CIVIL ACTION NO. 1:11-CV-165

CAPTAIN D. HARMON, ET AL. §

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Arnold F. Horton, a former prisoner, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Captain D. Harmon, Sergeant P. Waters, Sheriff K. Merritt, Dr. C. Parker, and Dr. Gaines.

The court ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that the case be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So ordered and signed on

Dec 23, 2013

Ron Clark, United States District Judge

Rm Clark